

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PATSY WIDAKUSWARA, et al.,

Plaintiffs,

-against-

KARI LAKE, et al.,

Defendants.

Index No. 25 Civ. 2390

DECLARATION OF ANDREW G. CELLI, JR.,

ANDREW G. CELLI, JR., declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a partner in the law firm of Emery Celli Brinckerhoff Abady Ward & Maazel, LLP. I am personally familiar with the facts set forth in this Declaration and, if called, could testify competently thereto.

2. Pursuant to Local Rule 6.1(d) of the Local Rules of the United States District Court for the Southern District of New York, I submit this Declaration in support of Plaintiffs' Proposed Order to Show Cause for a Temporary Restraining Order and Preliminary Injunction.

3. Proceeding by Order to Show Cause is necessary because Defendants' continuing unlawful conduct places Plaintiffs at imminent risk of further violations of their rights secured by the First Amendment as well as irreparable harms resulting from Defendants' ongoing and unlawful halting of Defendant United States Agency for Global Media's broadcasters' journalism in violation of Congressional mandates.

4. By email dated March 23, 2025 at 9:57 a.m., I emailed Jeff Oestreicher, Chief of the Civil Division of the United States Attorney's Office for the Southern District of New York to provide him the Complaint filed on March 21, 2025 and inform him that we would be seeking emergency relief on the morning of March 24, 2025. He informed us which AUSAs were assigned to the matter. Contemporaneous with the filing of this declaration, our firm is providing a copy of all the papers supporting Plaintiffs' Motion for a Temporary Restraining Order and Preliminary injunction to those AUSAs by email.

5. Attached here as Exhibit A is a true and correct copy of Executive Order no. 14238 entitled "Continuing the Reduction of the Federal Bureaucracy" signed on March 14, 2025, available at <https://www.whitehouse.gov/presidential-actions/2025/03/continuing-the-reduction-of-the-federal-bureaucracy/>.

6. Attached here as Exhibit B is a true and correct copy of the White House article "The Voice of Radical America" published on whitehouse.gov on March 14, 2025, available at <https://www.whitehouse.gov/articles/2025/03/the-voice-of-radical-america/>.

7. Attached here as Exhibit C is a true and correct copy of the USAGM press release entitled "USAGM, Senior Advisor Kari Lake cancels obscenely expensive 15-year-lease that burdened the taxpayers and enforces Trump's Executive Order to drastically downsize agency", published on March 15, 2025, available at <https://www.usagm.gov/2025/03/15/u-s-agency-for-global-media-complies-with-presidential-executive-order-to-reduce-the-federal-bureaucracy/>.

8. Attached here as Exhibit D is a true and correct copy of Donald J. Trump's Truth Social post published on December 11, 2024 at 9:14 PM, available at <https://truthsocial.com/@realDonaldTrump/posts/113637437665057869>.

9. Attached here as Exhibit E is a true and correct copy of Elon Musk's X post published on February 9, 2025 at 8:02 AM, available at

<https://x.com/elonmusk/status/1888574212316582230?lang=en>.

10. Attached here as Exhibit F is a true and correct copy of Kari Lake's X post published on March 17, 2025 at 7:56 AM, available at

<https://x.com/KariLake/status/1901603528168161683>.

11. Attached here as Exhibit G is a true and correct copy of Kari Lake's X post published on March 19, 2025 at 9:27 PM, available at

<https://x.com/KariLake/status/1902532400183206000>.

12. Attached here as Exhibit H is a true and correct copy of Kari Lake's X post published on March 13, 2025 at 3:46 PM, no longer publicly available.

13. Attached here as Exhibit I is a true and correct copy of the email sent by Crystal Thomas regarding "Important Information: Placement on Administrative Leave" on March 15, 2025.

14. Attached here as Exhibit J is a true and correct copy of the USAGM House Announcements email regarding "Please welcome Kari Lake" to All Staff on February 27, 2025 at 9:33 AM.

15. Attached here as Exhibit K is a true and correct copy of the USAGM House Announcements email regarding "Message from Acting CEO Regarding Newswire Services" to All Staff on March 14, 2025 at 2:39 PM.

16. Attached here as Exhibit L is a true and correct copy of Kari Lake's X post published on March 15, 2025 at 9:40 AM, no longer publicly available.

17. Attached here as Exhibit M is a true and correct copy of the declaration of John Dryden, signed on March 22, 2025.

18. Attached here as Exhibit N is a true and correct copy of the declaration of Paula Hickey, signed on March 21, 2025.

19. Attached here as Exhibit O is a true and correct copy of the declaration of Thibaut Bruttin, Director General of Reporters Sans Frontières', signed on March 23, 2025.

20. Attached here as Exhibit P is a true and correct copy of the declaration of Jon Schleuss, International President of The NewsGuild-CWA, AFL-CIO, with Exhibit 1, signed on March 23, 2025.

21. Attached here as Exhibit Q is a true and correct copy of the declaration of Steven L. Herman, signed on March 23, 2025.

22. Attached here as Exhibit R is a true and correct copy of the declaration of Patsy Widakuswara, signed on March 23, 2025.

23. Attached here as Exhibit S is a true and correct copy of the declaration of Jessica Jerreat, signed on March 23, 2025.

24. Attached here as Exhibit T is a true and correct copy of the declaration of Kathryn Neeper, signed on March 23, 2025.

25. Attached here as Exhibit U is a true and correct copy of the declaration of John Doe 1, signed on March 23, 2025.

26. Attached here as Exhibit V is a true and correct copy of the declaration of John Doe 2, signed on March 23, 2025.

27. Attached here as Exhibit W is a true and correct copy of the declaration of John Doe 3, signed on March 23, 2025

28. Attached here as Exhibit X is a true and correct copy of the declaration of John Doe 4, signed on March 23, 2025.

29. Attached here as Exhibit Y is a true and correct copy of the declaration of Clayton Weimers, Executive Director of Reporters for Freedom US, signed on March 23, 2025.

30. Attached here as Exhibit Z is a true and correct copy of the Rapid Response 47 X post published on March 15, 2025 at 12:05 PM, available at <https://x.com/RapidResponse47/status/1900941554748887501>.

31. Attached here as Exhibit AA is a true and correct copy of the USAGM House Announcements email to All Staff on March 6, 2025 at 7:08 PM.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed in New York, New York on March 23, 2025.

Dated: March 23, 2025

/s
Andrew G. Celli